REMARKS/ARGUMENTS

1.) Examiner Objections

a.) Information Disclosure Statement

The Examiner indicated that Reference AC under "Other Prior Art" in the previously-submitted IDS would not be considered because it is illegible. Whereas the application was filed under §371, claiming priority from PCT/EP2002/007076, the copy of Reference AC was transmitted to the USPTO by the international searching authority. The Applicant provides herewith a legible copy of that reference.

b.) Specification

The Examiner stated that the application did not contain the required abstract of the disclosure. The application was filed as a national stage application from a PCT application, which does include an abstract. The Applicant, however, submits herewith a new abstract on a separate sheet.

2.) Allowable Subject Matter

The Examiner objected to claim 14 as being dependent upon a rejected base claim, but indicated it would be allowable if rewritten in independent form, including the limitations of its base claim and any intervening claims. The Applicant thanks the Examiner for the indication of allowable subject matter. The Applicant, however, believes the base claim is allowable over the prior art and, therefore, declines to so amend claim 14.

3.) Claim Rejections – 35 U.S.C. § 102(b)

The Examiner rejected claims 11, 15, 16, 18 and 20 as being anticipated by Reich, *et al.* (US 2002/0184256 A1). The Applicants traverses the rejection.

Claim 11 recites:

11. A method of controlling a network entity of a mobile communication network and a mobile station, wherein said network entity and said mobile station are adapted to conduct a plurality of predetermined message exchange procedures in the course of which predetermined messages are exchanged between said network entity and

said mobile station depending on the given procedure, where said predetermined messages may be encrypted, an encrypted message being any message of which at least a part is encrypted, and where said network entity and said mobile station are adapted to conduct one or more encryption key generation procedures during which the network entity and the mobile station generate and store respective corresponding encryption keys in order to be able to encrypt and decrypt exchanged messages, said method comprises the steps of:

if said network entity receives a message from said mobile station, determining whether said received message is encrypted;

if the received message is encrypted, <u>determining whether a correct encryption key for decrypting said message is available to said network entity</u> and, <u>if no correct key is available, sending a predetermined triggering message to said mobile station</u>; and

<u>upon receiving said predetermined triggering message</u>, said <u>mobile station interrupting the procedure</u> in the course of which it sent the encrypted message for which the network entity did not have a correct key, <u>and initiating an encryption key generation procedure</u>. (emphasis added)

Although Reich does teach the encryption and decryption of a document using a key provided by a device, that reference is essentially silent regarding the provision of respective encryption and decryption keys between devices. *In particular,* <u>Reich fails to disclose</u> the claimed limitations of determining whether an encryption key for decrypting a received message is available to a device (network entity) and, **<u>if not</u>, <u>sending a triggering message to the terminal</u>** (mobile station) that sent the message; and, **<u>upon receiving the triggering message in the terminal</u>, <u>interrupting the message transmission procedure and initiating an encryption key generation procedure</u>**. With respect to those limitations, the Examiner references paragraphs 64 and 66 of Reich. Applicant has carefully reviewed those paragraphs, as well as the whole of Reich, however, and cannot identify a basis for the Examiner's assertion that Reich discloses the claimed limitations. Accordingly, claim 11 is not anticipated by Reich. Furthermore, whereas claims 18 and 20 recite limitations analogous to those of claim 11, they are also not anticipated by Reich. Furthermore, whereas claims 15 and 16 are dependent from claim 11, and include the limitations thereof, they are also not anticipated by Reich.
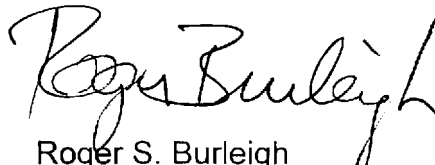
4.)   Claim Rejections – 35 U.S.C. § 103 (a)

The Examiner rejected claims 12 and 13 as being unpatentable over Reich in view of Pang, *et al.* (US 6,931,543); and claims 17 and 19 as being unpatentable over Reich in view of D'Amico, *et al.* (US 5,077,790). As established *supra*, Reich fails to anticipate claims 11 and 18. Whereas Pang and D'Amico fail to overcome the noted deficiencies of Reich with respect to those claims, claims 11 and 18 are also not obvious over Reich in view of Pang and D'Amico. Therefore, whereas claims 12. 13 and 17 are dependent from claim 11 and claim 19 is dependent from claim 18, and include the limitations of their respective base claim, those claims are also not obvious in view of those references.

CONCLUSION

In view of the foregoing amendments and remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 11-20.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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Date: January 19, 2006

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